

### **REMARKS/ARGUMENTS**

The claims have been amended in this response to reflect the amendments we understand have been agreed with the Examiner following telephone discussions and applicants e-mail of March 16<sup>th</sup>, 2006, a copy of which is attached for information. Claim 1 has been restrictively amended as required by the Examiner. Support for the restrictions is to be found in the Specification, especially in paragraphs 18 and 39. The restriction in the amount of linear alcohol is to be found in claim 3 as n-butanol is a particular linear alcohol. Applicant has also removed the word "blend" from the definition of phosphate ester and elsewhere in the definition of the components to avoid indefiniteness as the same word is used in the preamble of the claim. Applicant has also made restrictive amendments to claim 2. These find support in the Specification, especially in paragraphs 18, 30, 34 and 39. The word "blend" has been cancelled from the claim in a similar manner to the amendments to claim 1. Applicant has restrictively amended claim 3. Support for these amendments is to be found in the Specification, especially in paragraph 39. Applicant has made claim 4 independent though it is respectively submitted that this does not affect the scope of the claim. Applicant has cancelled claim 5 as being redundant and has made clarifying amendments to claim 6.

The Examiner has applied one reference (US Patent 5,202,205: Mahota) against the claims of the application prior to amendment arguing that the subject matter of the claims is obvious in view of the reference. Applicant respectfully requests reconsideration and withdrawal of the rejection in view of the amendments made to the claims which distance the claimed subject matter even further from the reference and in view of the very different art area of the reference. The reference relates to transparent substrate materials for receiving or containing an image. There is no motivation, suggestion or teaching of, or direction towards, agrochemical formulation aid compositions and their uses in the reference. Structurally and functionally the reference and the claimed invention are very different and in very different art areas with no reason for the art areas to be linked. The claimed subject matter need to be viewed as a whole in the context of the Specification and then compared with the reference taken as a whole. Would a person of ordinary and un inventive skill in the arts of agrochemical formulation aid compositions even consider the reference and would such a person see applicant's invention as now claimed as "obvious" in view of the reference? Applicant

respectfully submits that the answer to both of these questions is "no" and respectfully requests withdrawal of the rejection.

Early allowance of this application is earnestly solicited.

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

**The Commissioner is hereby authorized to charge any additional fees, and credit any over payments to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.**

Respectfully submitted,

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